

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR451
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
JUSTIN SUCHANEK,)	
)	
Defendant.)	

NOW ON THIS 2nd day of December, 2010, this matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On March 26, 2010, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 841(a)(1)&(b)(1) and 853 based upon the Defendant's plea of guilty to Counts I and II of the Superseding Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in the following properties:

- a) 1999 Jeep Wrangler / TO Sahara, bearing Nebraska license plate 8-F5995, with the VIN 1J4FY49S6XP447717;
- b) 2005 Chevrolet Silverado, bearing Nebraska license plate 8-16696, with the VIN 2GCEK13T051252998;
- c) 1984 Chevrolet C10 customized pickup truck with the VIN 2GCDC14H5E1150079;
- d) 2005 Kawasaki ZX1000C1 motorcycle with the VIN JKAZXCC165A025148;
- e) 2008 KTM 450 Dirt Bike;
- f) 2009 Yamaha YFZ 450 Sport Quad;
- g) 2006 Yamaha YZF 450 Sport Quad;
- h) 1998 Series H & H custom utility trailer with a paint job matching the 2005 Chevrolet Silverado listed in item (b) of this count;

- i) \$2,159 in United States currency seized on December 15, 2009, from the 2005 Chevrolet Silverado listed above;
- j) \$11,358 in United States currency seized from the residence at 407 East 2nd Street, Apt. #3, Grand Island, Nebraska on December 15, 2009;
- k) \$1,120 in United States currency seized from the residence at 4612 East Seedling Mile Road, Grand Island, Nebraska on December 15, 2009.

was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site www.forfeiture.gov for at least thirty consecutive days, beginning on April 8, 2010, as required by Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on July 6, 2010 (Filing No. 50).

3. Archer Cooperative Credit Union filed a Petition herein (Filing No. 43) on June 4, 2010, asserting its secured interest in a 1999 Jeep, VIN 1J4FY49S6XP447717. By way of Stipulation filed July 27, 2010 (Filing No. 54), the United States acknowledged the Credit Union's secured interest in the Jeep and agreed to pay the Credit Union the amount of its lien. SBL Financial, LLC filed a Petition herein (Filing No. 45) on June 21, 2010, asserting its secured interest in a 2005 Chevy Silverado, VIN 2GCEK13TO51252998. By way of Stipulation filed July 27, 2010 (Filing No. 53) the United States acknowledged SBL Financial, LLC's secured interest in the Chevy and agreed to pay SBL Financial, LLC, the amount of its lien.

4. This Court approved said Stipulations on August 24, 2010 (Filing No. 62).

5. Notice of Receipts were filed on October 8, 2010 (Filing Nos. 65 & 66), evidencing Archer Cooperative Credit Union's and SBL Financial, LLC's receipt of funds to pay off the liens.

6. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the following properties:

- a) 1999 Jeep Wrangler / TO Sahara, bearing Nebraska license plate 8-F5995, with the VIN 1J4FY49S6XP447717;
- b) 2005 Chevrolet Silverado, bearing Nebraska license plate 8-16696, with the VIN 2GCEK13T051252998;
- c) 1984 Chevrolet C10 customized pickup truck with the VIN 2GCD14H5E1150079;
- d) 2005 Kawasaki ZX1000C1 motorcycle with the VIN: JKAZXCC165A025148;
- e) 2008 KTM 450 Dirt Bike;
- f) 2009 Yamaha YFZ 450 Sport Quad;
- g) 2006 Yamaha YZF 450 Sport Quad;
- h) 1998 Series H & H custom utility trailer with a paint job matching the 2005 Chevrolet Silverado listed in item (b) of this count;
- i) \$2,159 in United States currency seized on December 15, 2009, from the 2005 Chevrolet Silverado listed above;
- j) \$11,358 in United States currency seized from the residence at 407 East 2nd Street, Apt. #3, Grand Island, Nebraska on December 15, 2009;
- k) \$1,120 in United States currency seized from the residence at 4612 East Seedling Mile Road, Grand Island, Nebraska on December 15, 2009.

held by any person or entity, is hereby forever barred and foreclosed.

C. The following properties:

- a) 1999 Jeep Wrangler / TO Sahara, bearing Nebraska license plate 8-F5995, with the VIN 1J4FY49S6XP447717;
- b) 2005 Chevrolet Silverado, bearing Nebraska license plate 8-16696, with the VIN 2GCEK13T051252998;

- c) 1984 Chevrolet C10 customized pickup truck with the VIN 2GCDC14H5E1150079;
- d) 2005 Kawasaki ZX1000C1 motorcycle with the VIN JKAZXCC165A025148;
- e) 2008 KTM 450 Dirt Bike;
- f) 2009 Yamaha YFZ 450 Sport Quad;
- g) 2006 Yamaha YZF 450 Sport Quad;
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- k) \$1,120 in United States currency seized from the residence at 4612 East Seedling Mile Road, Grand Island, Nebraska on December 15, 2009.

be, and the same hereby are, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 2nd day of November, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON, CHIEF JUDGE
United States District Court